

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL ACTION
	:	
v.	:	No. 20-218
	:	
DAVID ELMAYAYES	:	
	:	

ORDER

AND NOW, this **20th** day of **December 2023**, upon consideration of Defendant's *pro se* Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody (ECF No. 45) and the Government's Response in Opposition (ECF No. 49), it is **hereby ORDERED** that Defendant's Motion (ECF No. 45) is **DENIED**.

It is **FURTHER ORDERED** that a Certificate of Appealability **SHALL NOT** issue because reasonable jurists would not disagree as to this Court's ruling and because there is no substantial showing of a denial of a constitutional right.

BY THE COURT:

/s/ Chad F. Kenney

CHAD F. KENNEY, JUDGE